

# The Gazette of India



## EXTRAORDINARY PART II—Section 3 PUBLISHED BY AUTHORITY

No. 469] NEW DELHI, SATURDAY, OCTOBER 5, 1957/ASVINA 13, 1879

### ELECTION COMMISSION, INDIA NOTIFICATION

*New Delhi, the 1st October, 1957*

S.R.O. 3140.—Whereas the election of Shri Alwa Joachim Piadad, 9 Fair Home, Sobani Road, Upper Colaba Bombay as a member of the House of the People from the Kanara North Parliamentary constituency of the State of Mysore has been called in question by an election petition presented under Part VI of the Representation of the People Act, 1951 (43 of 1951) by Shri Shanbhag Narsinha Govind, resident of Kumta, District North Kanara, Mysore;

And whereas by its notifications Nos. 28/296/57/1586, dated the 7th June, 1957, and 82/295/57, dated the 12th July, 1957, the Election Commission appointed Shri Aswatha Rao, District Judge, Karwar, to be the Member of the Election Tribunal constituted for the trial of the said petition;

And Whereas the respondent applied to the Commission for the withdrawal and transfer of the petition from the present tribunal on the ground that the parties would be inconvenienced, if the place of trial was not changed to Belgaum;

And Whereas the Commission, under Section 89 of the said Act, notified the parties of the proposal to withdraw the election petition from the said Shri Aswatha Rao and transfer it to another tribunal constituted at Belgaum, with Shri N. S. Metrani, District, Judge, Belgaum;

And Whereas after considering the submissions of the parties and the fact that the said Shri Aswatha Rao has been transferred from Karwar and that his successor is not on the approved list of the judges maintained under sub-section (2) of Section 86 of the said Act, the Commission has come to the view that the said election petition should be withdrawn from the election tribunal constituted with the said Shri Aswatha Rao and transferred to another District Judge;

Now, Therefore, in exercise of the powers conferred by the said section 89, the Election Commission, hereby withdraws the said petition from Shri Aswatha Rao, and transfers it for trial to another election tribunal which is hereby constituted of Shri N. S. Metrani, District Judge, Belgaum, as the member thereof, and further appoints Belgaum in place of Karwar, as the place where the trial of the said petition shall be held.

[No. 84/T.A.-30/295/57/6895.]

By order,

A. KRISHNASWAMY AIYANGAR, Secy.

( 2441 )

